

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

JAMES D'CRUZ; NATIONAL RIFLE §  
ASSOCIATION OF AMERICA, INC. §  
*Plaintiffs,* §  
§  
v. §  
§  
STEVEN MCCRAW,  
*Defendant.* §

CASE NO. 5:10-CV-00141-C

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**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT'S EMERGENCY  
MOTION TO AMEND SCHEDULING ORDER TO PERMIT DISCOVERY AND  
EXTEND DISPOSITIVE MOTION DEADLINES**

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TO THE HONORABLE SAM CUMMINGS, UNITED STATES DISTRICT JUDGE:

Plaintiffs James D'Cruz and National Rifle Association of America, Inc. hereby file this Response in opposition to Defendant's Emergency Motion to Amend Scheduling Order to Permit Discovery and Extend Dispositive Motion Deadlines.

The grounds for opposing Defendant's motion are set out with argument and authorities in Plaintiffs' Brief in Support of Their Response in Opposition to Defendant's Emergency Motion to Amend Scheduling Order to Permit Discovery and Extend Dispositive Motion Deadlines.

**CONCLUSION**

Plaintiffs respectfully submit that Defendant's Emergency Motion to Amend Scheduling Order to Permit Discovery and Extend Dispositive Motion Deadlines should be denied. In light of the fact that Defendant's dispositive motion is due on December 17, Plaintiffs are willing to consent to a one-week extension of that deadline until December 24.

Dated: December 15, 2010

Respectfully submitted,

s/ Charles J. Cooper  
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\*Admitted *pro hac vice*

**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been sent *via* ECF on December 15, 2010, to:

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s/ Charles J. Cooper  
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